Docket No.: 564462001620

# **REMARKS**

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# Status of the Claims

Pending claims

Claims 31 to 42 and 53 to 107 are pending.

Claims canceled in the instant amendment

Claims 31 to 42 and 65 to 107, are canceled, without prejudice or disclaimer. Thus, after entry of the instant amendment, claims 53 to 64 will be pending and under examination.

Outstanding Rejections

Claims 31 to 42 and 65 to 97 are rejected under 35 U.S.C. §112, first paragraph. Applicants respectfully traverse all outstanding rejection of the claims.

#### Information Disclosure Statements

Applicants thank the Examiner for considering and initialing the patents listed on the Information Disclosure Statement (IDS) submitted herein and on the IDSs submitted August 08, 2003, March 25, 2003, September 20, 2002, and December 18, 2000. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

## Issues under 35 U.S.C. §112, first paragraph

# Written Description

The rejection against claims 65 to 97, was maintained, and claims 98 to 107 were newly rejected, under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Applicants respectfully submit that the pending claims meet the written description requirement under 35 U.S.C. §112, first paragraph, for reasons set forth in Applicants previous responses, which are expressly incorporated herein.

However, merely to expedite prosecution and allowance of this application, claims 31 to 42 and 65 to 107, are canceled, without prejudice or disclaimer.

In light of the above remarks, Applicants respectfully submit that the amended claims are sufficiently described in the specification to overcome the 35 U.S.C. §112, first paragraph, written description rejection.

#### Enablement

The rejection against claims 31 to 42 and 65 to 97, was maintained, and claims 98 to 107 were newly rejected, under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicants respectfully submit that the pending claims meet the enablement requirement under 35 U.S.C. §112, first paragraph, for reasons set forth in Applicants previous responses, which are expressly incorporated herein.

However, merely to expedite prosecution and allowance of this application, claims 31 to 42 and 65 to 107, are canceled, without prejudice or disclaimer.

Applicants respectfully submit that the pending claims meet the enablement requirement under 35 U.S.C. §112, first paragraph. In light of the above remarks, Applicants respectfully submit that the specification sufficiently described how to make and use the claimed methods to satisfy the requirements of 35 U.S.C. §112, first paragraph.

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## **CONCLUSION**

In view of the foregoing amendment and remarks, it is believed that the Examiner can properly withdraw the rejection of the pending claims under 35 U.S.C. §112, first paragraph. Applicants believe all claims pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 564462001620. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

If the Examiner believes a telephone conference would expedite prosecution of this application, please call the undersigned at 858 720 5133.

Dated: January 6, 2005

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Respectfully submitted

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